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Attorneys for Creditor

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA

In re	)	Case No. 1:23-bk-10019-BPH
MISTY LEE ROBERTS and	)	
JAMES DARIN CLEMONS	)	
	)	
Debtors.	)	
_____	)	<b>NOTICE OF REMOVAL</b>
	)	
G. BARCLAY CORBUS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
MISTY ROBERTS, JAMIE CLEMONS, and	)	
PJ MANAGEMENT AND TREE REMOVAL	)	
SERVICE, LLC,	)	
	)	
Defendants.	)	
_____	)	

G. BARCLAY CORBUS, by and through his counsel of record, JACKSON, MURDO & GRANT, P.C., hereby respectfully represents:

1. G. Barclay Corbus is a Creditor of the above-named Debtors, Misty Lee Roberts and James Darin Clemons ("Debtors"). Creditor timely filed a Proof of Claim dated April 24, 2023, at ECF Claim 11-1.

2. Debtors filed an Objection to Proof of Claim dated April 25, 2023, at ECF No. 38.

3. At the time of the commencement of this Chapter 13 Bankruptcy Case, an action was pending against the Debtors in the Montana Twenty-Second Judicial District Court, Carbon County, as Cause No. DV-20-80. The case is captioned *G. Barclay Corbus, Plaintiff v. Misty Roberts, Jamie Clemons, and PJ Property Management and Tree Removal Service, LLC, Defendants*. Attached hereto is the Case Register Report for Case No. DV-20-80. Also attached are the pleadings marked as Exhibits 1-57.

4. The action described in the foregoing paragraph is a civil action in which this Court has jurisdiction under the provisions of 28 U.S.C. §157(b)(2)(B) and (O) and §1334(b). The Debtors in this bankruptcy case, Misty Lee Roberts and James Darin Clemons, are the Defendants in the state court action.

5. In the Complaint, G. Barclay Corbus, the Plaintiff, asserts that the Debtors have breached a contract for the repayment of loans in the amount of \$1,147,232.75 as of October 1, 2020. The Court has granted pre-judgment attachment to secure the payment of this indebtedness. *See* Proof of Claim Attachment dated April 24, 2023, at ECF Claim 11-1 Part 5.

WHEREFORE, G. Barclay Corbus, prays that the above-entitled action now pending in the Montana Twenty-Second Judicial District Court, Carbon County, Cause No. DV-20-80, and entitled *G. Barclay Corbus, Plaintiff v. Misty Roberts, Jamie Clemons, and PJ Property Management and Tree Removal Service, LLC*, be removed to this Court.

DATED this 14<sup>th</sup> day of June, 2023.

/s/ Burt W. Ward  
Attorney for Creditors

CERTIFICATE OF MAILING

I certify under penalties of perjury, that on June 14, 2023, I served a true and correct copy of the foregoing Notice of Removal on the counsel listed below via electronic filing with the United States Bankruptcy Court, Montana District and/or by mail on the following parties:

Andrew W. Pierce  
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/s/ Burt W. Ward  
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